

JAN 26 2005

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PTO/SB/30 (09-04)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:

**Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Application Number	09/940,689
Filing Date	August 27, 2001
First Named Inventor	Michael Knaupp
Art Unit	3724
Examiner Name	Jason D. Prone
Attorney Docket Number	340058.534


This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. ☒ Other Non-entry of the Amendment dated November 23, 2004, is hereby requested
 - b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☒ Other Comments on Statement of Reasons for Allowance
2. Miscellaneous
 - a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. ☐ Other _____
3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 - a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-1090. I have enclosed a duplicate copy of this sheet.
 - i. ☐ RCE fee required under 37 CFR 1.17(e)
 - ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. ☐ Other _____
 - b. ☒ Check in the amount of \$ 910 enclosed
 - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	January 24, 2005
Name (Print /Type)	Lorraine Linford	Registration No. (Attorney/Agent)	35,939

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450 Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print /Type)	***SENT VIA EXPRESS MAIL***	Date	
Signature			

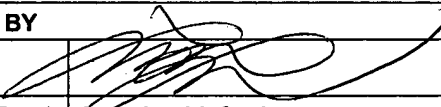
This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).		Complete if Known	
JAN 2 2005 FEE TRANSMITTAL for FY 2005		Application Number	09/940,689
		Filing Date	August 27, 2001
		First Named Inventor	Michael Knaupp
		Examiner Name	Jason D. Prone
		Art Unit	3724
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	340058.534
TOTAL AMOUNT OF PAYMENT (\$) 910			
METHOD OF PAYMENT (check all that apply)			
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other (please identify): _____ <input type="checkbox"/> Deposit Account Deposit Account Number: <u>19-1090</u> Deposit Account Name: <u>Seed IP Law Group PLLC</u> For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input type="checkbox"/> Charge any additional fee(s) or underpayments <input checked="" type="checkbox"/> Charge any underpayments or credit any overpayments of fee(s) under 37 CFR 1.16 and 1.17			
Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
FEE CALCULATION			
1. BASIC FILING, SEARCH, AND EXAMINATION FEES			
FILING FEES		SEARCH FEES	
		EXAMINATION FEES	
	<u>Small Entity</u>	<u>Small Entity</u>	<u>Small Entity</u>
Application Type	Fee (\$)	Fee (\$)	Fee (\$)
Utility	300	150	500
Design	200	100	100
Provisional	200	100	0
2. EXCESS CLAIM FEES			
Fee Description		Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent		50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent		200	100
Multiple dependent claims		360	180
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
<u>41</u>	<u>-20 or HP = 61</u>	<u>0</u>	<u>X</u>
		<u>50</u>	<u>=</u>
		<u>0</u>	
HP = highest number of total claims paid for, if greater than 20			
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
<u>6</u>	<u>-3 or HP = 12</u>	<u>0</u>	<u>X</u>
		<u>200</u>	<u>=</u>
		<u>0</u>	
HP = highest number of total claims paid for, if greater than 3			
3. APPLICATION SIZE FEE			
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)
<u> </u>	<u>-100 =</u>	<u> </u>	<u>/50 =</u>
		<u> </u>	<u>(round up to a whole number)</u>
		<u>x</u>	<u> </u>
HP = highest number of total claims paid for, if greater than 20			
4. OTHER FEE(S)			Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)			<u> </u>
Other: <u>Request for Continued Examination Fee</u>			<u>790</u>
<u>Extension Fee, Response Within First Month</u>			<u>120</u>
SUBMITTED BY			
Signature			Registration No. (Attorney/Agent)
			35,939
Name (Print/Type)	Lorraine Linford		Telephone
			206-622-4900
			Date
			January 24, 2005